

## APPEAL HEARING MINUTES

1. **Kind of meeting:** Appeal Hearings

2. **Date:** January 24, 2017 **Place:** Hearings Room

3. **Present:** Jeff Painter, Judith Napier, Christopher Curtis, Henry Marsh, SAAG Kristina Alexander, Pam Boggs, Melissa Custis, & Kristie Miles

### **MORNING DOCKET**

- 10:05 a.m. - Hearing was called to order
  - Alcove Restaurant – LaTonya Taylor, GM & Terence L. Tarrer, Business Manager
  - Young Won Trading, Inc., - Christian Choi, Executive Director
- 10:20 a.m. - Approved and Adopted Board Orders for Board Minutes for December 2016; H. Marsh motioned, J. Napier seconded and the motion passed unanimously.
- 10:25 a.m. - Closed session - With no further cases J. Painter moved that the Board enter closed session pursuant to 2.2-3711(A)(7) to receive advice from counsel; H. Marsh seconded and motion passed unanimously.  
(Painter, J. Napier, Marsh) voted to go into closed session. Attendance at closed session was J. Painter, C. Curtis, J. Napier, H. Marsh, SAAG K. Alexander, and P. Boggs.
- 11:05 a.m. - J. Painter made a motion to return to open session, H. Marsh seconded the motion and the Board voted unanimously to go back into open session. The Board then certified by voice vote that nothing was discussed in the closed session but legal matters pursuant to 2.2-3711(A)(7). Vote was unanimous.
  - Alcove Restaurant – J. Napier motioned to accept the findings of fact and substantiate the charge, but modify the decision. The privileges and purchasing and selling alcoholic beverages including mixed beverages shall be suspended for 30 days; provided, however, that upon payment of \$2500 as a civil penalty, the suspension shall be terminated; H. Marsh seconded the motion and it was carried unanimously.
  - Young Won Trading, Inc., - J. Napier motioned to accept the findings of fact and substantiate the charge, but modify the decision. As to Charge 1: the privileges and purchasing and selling wine products shall be suspended for 10 days; provided, however, that upon payment of \$2500 as a civil penalty, the suspension shall be terminated. That as to Charge 2: the privileges and purchasing and selling alcoholic beverages shall be suspended for 7 days; provided, however, that upon payment of \$500 as a civil penalty, the suspension shall be terminated. The civil penalties are imposed in the aggregate for a total sum of \$3000. The periods of suspension shall run concurrently should the licensee elect suspension in lieu of payment of the civil penalty; H. Marsh seconded the motion and it was carried unanimously.
- 11:05 a.m. – With no further business – J. Painter moved to adjourn for the morning, J. Napier seconded the motion and the motion was passed unanimously.

### **AFTERNOON DOCKET:**

- 2:10 p.m. - Hearing was called to order
  - Escafe – Todd E. Howard, Manager Member
  - McCormack's Whisky Grill & Smokehouse – Cameron Gilbert, Esq., & William McCormack, Managing Member

- 2:36 p.m. - Closed session - With no further cases J. Painter moved that the Board enter closed session pursuant to 2.2-3711(A)(7) to receive advice from counsel; H. Marsh seconded and motion passed unanimously.  
(Painter, J. Napier, Marsh) voted to go into closed session. Attendance at closed session was J. Painter, C. Curtis, J. Napier, H. Marsh, SAAG K. Alexander, and P. Boggs.
- 2:50 p.m. - J. Painter made a motion to return to open session, H. Marsh seconded the motion and the Board voted unanimously to go back into open session. The Board then certified by voice vote that nothing was discussed in the closed session but legal matters pursuant to 2.2-3711(A)(7). Vote was unanimous.
  - Escafe – The Board delayed decision until the next Appeal Hearing.
  - McCormack's Whisky Grill & Smokehouse – The Board delayed decision until the next Appeal Hearing
  - Board Minutes - J. Painter made a motion to approve the Board Minutes from January 4, 2017, H. Marsh approved and the motion passed unanimously.
- 2:50 p.m. – With no further business – J. Painter moved to adjourn for the day, H. Marsh seconded the motion and the motion was passed unanimously.